

1                               BEFORE THE ARIZONA STATE BOARD OF  
2                               OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY  
3

4       IN THE MATTER OF:                               )  
5   )  
6       LILLIAN D. PUMA, D.O.                            )  
7       Holder of License No. 2836                    )  
8       For the practice of Osteopathic                )  
9       Medicine in the State of Arizona             )  
10       \_\_\_\_\_ )

11   STIPULATION FOR  
12   CONSENT ORDER

13   STIPULATION

14               By mutual agreement and understanding, the Arizona State  
15       Board of Osteopathic Examiners ("Board") and Lillian D. Puma,  
16       D.O. (hereinafter "Respondent"), the parties hereto agree to the  
17       following disposition of this matter.

18               1.     Respondent acknowledges that she has read this  
19       Stipulation and the attached Stipulated Consent Order; and,  
20       Respondent is aware of and understands the content of these  
21       documents.

22               2.     Respondent understands that by entering into this  
23       stipulation, she voluntarily relinquishes any right to a hearing  
24       in the matters alleged as ground for Board action or to seek  
25       judicial review of the consent order in state or federal court.

26               3.     Respondent understands that this Stipulation and  
      Order will not become effective unless approved by this Board and  
      signed by its Executive Director.

              4.     Respondent further understands that this  
      Stipulation and Consent Order, once approved and signed, shall

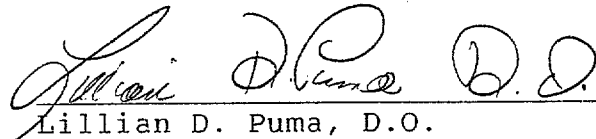
1 constitute a public record which may be disseminated as a formal  
2 action of the Board.

3 5. Respondent admits to the facts and consents to all  
4 the terms contained in the Consent Order.

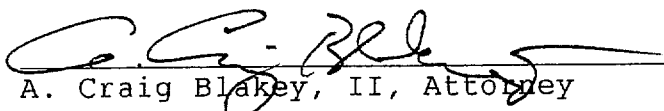
5 6. Respondent acknowledges and agrees that upon  
6 signing and returning this document to the Board, she may not  
7 later revoke or amend this stipulation or the consent order,  
8 without Board approval.

9 7. Any violation of said Board Order constitutes  
10 unprofessional conduct as defined in A.R.S. § 32-1855.

11 REVIEWED AND ACCEPTED this 2 day of Oct., 1995.

12  
13   
14 Lillian D. Puma, D.O.

15 Reviewed and approved as to  
16 form by counsel for Respondent:

17  
18   
19 A. Craig Blakey, II, Attorney

20 REVIEWED AND SIGNED this 7th day of October, 1995,  
21 for the Board by:

22  
23   
24 Ann Marie Berger  
25 Executive Director

26 2921A(83-84)/yaf



1 taking formal Board action in the form of the consent order set  
2 forth hereafter. Said reports are to be treated as a  
3 confidential and not available for public disclosure (pursuant to  
4 A.R.S. § 32-1855.03.D) except pursuant to court order.

5 3. Respondent appeared before the Board for an  
6 informal interview hearing on June 29, 1995, at which time the  
7 Respondent admitted to using Vicodin, a schedule III controlled  
8 substance, without receiving said drug in the course of regular  
9 medical treatment, as prescribed by her treating physician.

10 4. After conducting the informal interview hearing with  
11 the Respondent on June 29, 1995, during a public meeting, the  
12 Board voted to direct the Board counsel to prepare a stipulated  
13 consent order, which was subsequently reviewed and accepted by  
14 Respondent and set forth hereinafter.

#### 15 CONCLUSIONS OF LAW

16 1. The Board has jurisdiction of this matter pursuant  
17 to A.R.S. § 32-1800, et seq., as amended.

18 2. Based upon the substantial evidence presented to  
19 the Board, there is good and sufficient cause, pursuant to A.R.S.  
20 § 32-1861(D), to issue the Consent Order which follows hereafter.

#### 21 CONSENT ORDER

22 Pursuant to the authority vested in the Board by A.R.S.  
23 § 32-1855(E) and A.R.S. § 41-1061(D) IT IS HEREBY ORDERED THAT:

24 1. Lillian D. Puma, D.O. (Respondent) is placed on  
25 probationary status and is allowed to practice osteopathic  
26

1 medicine and surgery, subject to the following probationary  
2 conditions set forth in this Order in its entirety.

3 a. Dr. Puma shall attend at least one individual  
4 counseling session (minimum duration one hour) per week  
5 with a mental health therapist (i.e., Arizona licensed  
6 psychiatrist, psychologist or certified mental health  
7 counselor) whose name shall be provided to the Board by  
8 letter from Respondent mailed within ten (10) days of  
9 issuance of this order.

10 b. Respondent's participation and attendance at the  
11 physician recovery program provided by John W. Curtin,  
12 M.D. may be substituted for the aforementioned weekly  
13 meeting with the mental health therapist; but, said  
14 substitution may not occur more than twice in any  
15 month. Respondent shall maintain a written record of  
16 the dates and duration of her attendance at all of the  
17 aforementioned therapy sessions for review by the Board  
18 or its designated representative, upon request.

19 c. Dr. Puma shall obtain and maintain an active  
20 sponsor for her participation in Narcotics Anonymous  
21 ("NA").

22 d. Dr. Puma shall provide a copy of this Consent Order  
23 to the individual providing mental health therapy to her  
24 and her primary care physician; and, she shall promptly  
25 (i.e. within five (5) days) inform the Board by letter  
26 (sent U.S. certified mail) to the Board's Executive

1 Director of any change of mental health therapist or  
2 termination of therapy.

3 e. Dr. Puma shall be subject to random bodily fluid  
4 testing for drugs at any time, with one (1) hour advance  
5 notice; and, said testing shall be ordered and  
6 coordinated at the discretion of the Board's executive  
7 director. Dr. Puma shall be responsible for paying for  
8 all expenses related to the aforementioned drug testing.

9 f. Dr. Puma shall refrain completely from the  
10 consumption of alcohol.

11 g. Dr. Puma shall not use any illicit substances (for  
12 example, cocaine or marijuana) or prescription only  
13 medications, unless such medications are prescribed by a  
14 licensed physician. Written documentation (e.g.,  
15 photocopy of prescription or letter from prescribing  
16 physician) of all such prescriptions shall be provided  
17 to the Board's executive director within 72 hours or  
18 receipt by personal delivery or mailing by U.S.  
19 certified mail or express mail with accompanying letter  
20 from Respondent.

21 h. Dr. Puma shall arrange to have written progress  
22 reports sent to the Board on a monthly basis by the  
23 mental health therapist <sup>(s) al-</sup> providing therapy sessions to  
24 Dr. Puma.

25 i. Dr. Puma shall attend at least four (4)  
26 "twelve-step" recovery meetings for at least one (1)

1 hour per meeting through Narcotics Anonymous; and,  
2 Respondent shall maintain a written attendance log  
3 stating the time, date, duration and location of each  
4 meeting attended.

5 j. Dr. Puma shall bear any and all costs associated  
6 with compliance with this order.

7 k. Dr. Puma shall meet regularly with the Board, upon  
8 receipt of written notice to do so, to review her  
9 progress and compliance with the terms and conditions of  
10 this order.

11 2. Respondent may have her license to practice as an  
12 osteopathic physician restricted, suspended or revoked by the  
13 Board in the future if:

14 (a) The Board finds that Respondent does not have  
15 the requisite mental, physical and emotional  
16 fitness to safely continue the practice of  
17 medicine; or,

18 (b) There are new grounds for finding  
19 unprofessional conduct concerning Respondent; or,

20 (c) Respondent fails to comply fully with  
21 conditions and terms of this Order.

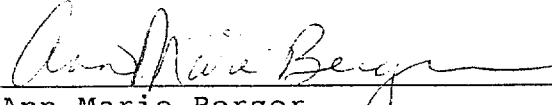
22 3. In the event Respondent ceases to reside in  
23 Arizona, she shall give written notice by letter mailed to the  
24 Board of her new business and residence address within twenty  
25 (20) days of moving; and, the terms and duration of this Order  
26 may be stayed by the Board until Respondent returns to Arizona.

1           4.    The terms and conditions of this Order shall remain  
2 effective for a minimum of four (4) years.  Nevertheless, the  
3 Respondent may apply by letter to the Board for modification of  
4 the terms of this Order, after one year.  Said request for  
5 modification must be based upon good cause and supporting  
6 evidence; but, any modifications shall be solely at the Board's  
7 discretion and not subject to judicial review or appeal.

8           5.    Respondent shall authorize all of her health care  
9 providers (i.e., physicians or mental health counselors or  
10 treatment facilities) to release and disclose confidential  
11 information of any type to the Board upon written request from  
12 the Board's executive director.

13                   ENTERED and effective this 7th day of October, 1995

14                   ARIZONA STATE BOARD OF OSTEOPATHIC  
15                   EXAMINERS IN MEDICINE AND SURGERY

16                     
17                   Ann Marie Berger  
18                   Executive Director

19                   *Handdelivered 10/7/95*  
20                   COPIES mailed this        day of  
                              , 1995, to:

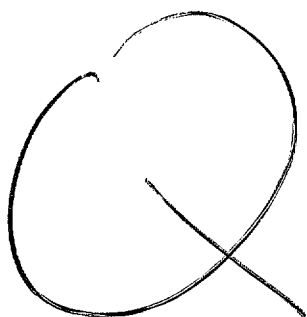
21                   Lillian D. Puma, D.O.

22                   A. Craig Blakey, II  
23                   Attorney for Respondent

24                   Michael Harrison  
25                   Assistant Attorney General  
                    Board Counsel

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